with 37 CFR §1.821(a) through (c) and (e), respectively, are the same and include no new matter.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that making willful false statements and the like is punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

REMARKS

A sequence is presented in FIG. 2 without an identifier either in the figure itself or in the Brief Description of the Drawings. The amendment at page 6, line 15 is to correct this informality by providing a sequence identifier for the sequence presented in FIG 2. Applicant respectfully requests entry of the present amendment. No new matter has been added.

Applicant respectfully submits that the sequence identifier was formatted correctly with respect to the sequence presented in FIG. 3. The identifier for SEQ ID NO:3 is set forth in the Brief Description of the Drawings at page 6, line 29.

Applicant notes that the Office Communication mailed August 27, 2002 has been vacated and appreciates the Examiner's

assistance in this matter. The Examiner is requested to contact the representative of the Applicant at the number listed below with any questions or for clarification.

No further fee is believed necessary. If it is determined that an additional fee is required for this response, the Director is authorized to charge our Deposit Account No. 09-1962.

Respectfully submitted,

October 03, 2002
Date

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APPENDIX A

MARKED-UP VERSION SHOWING CHANGES MADE TO THE SPECIFICATION

Figure 2 illustrates the determination of the transcription start site of the CsVMV promoter as described in Example 2. Primer extension reactions were carried out as described and the products of the extension reactions obtained with two annealing temperature (30°C and 40°C) and reference sequencing reactions of CVP1-uidA gene construct (lane A, C, G and T) performed with the same labeled primer, were subjected to electrophoresis in a 7M urea, 7.5 % polyacrylamide gel. The plus strnd DNA sequence (complementary to the sequence read on the gel) is shown (SEQ ID NO:37) and the transcription start site (A*) is indicated by an arrow at nucleotide number (nt.) 7604. Numbers correspond to the nucleotide sequence numbers of the CsVMV genome, Calvert et al, J Gen Virol, 76:1271-1276, 1995.